



New Zealand

Country Reports on Human Rights Practices - [2002](#)

Released by the Bureau of Democracy, Human Rights, and Labor
March 31, 2003

New Zealand is a parliamentary democracy, with executive authority vested in a 20-member cabinet led by the Prime Minister. Queen Elizabeth II is Chief of State and is represented by the Governor General. The 120-member Parliament is elected in a mixed-member proportional representation system, with 7 seats reserved for members of the native Maori population. Citizens periodically choose their representatives in free and fair multiparty elections. The judiciary is independent.

The national police maintain internal security under the direction of the Minister of Police. The civilian authorities maintain effective control of the security forces. The police committed some abuses during the year.

The country has a population of approximately 3.9 million. It produces agricultural products and exports wool, meat, and dairy products. Tourism, forestry, fishing, and manufacturing were also significant economic sectors. Disparities in wealth were small but increasing. Government social programs offered substantial benefits to disadvantaged persons.

The Government generally respected the human rights of its citizens, and the law and judiciary provide effective means of addressing individual instances of abuse. There were some complaints of police abuses and of violence against women and children; societal discrimination against persons with disabilities, indigenous people, Pacific Islanders, and Asians was a problem. The Government generally respected the human rights of citizens living in its territories of Tokelau, Niue, and the Cook Islands. New Zealand was invited by the Community of Democracies' (CD) Convening Group to attend the November 2002 second CD Ministerial meeting in Seoul, Republic of Korea, as a participant.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents.

In a case involving a police officer who fatally shot a Maori youth in 2000, the family of the deceased youth filed the first-ever wrongful death civil suit against a police officer acting in an official capacity. In December a jury exonerated the officer and concluded that he had acted in self-defense. A December investigative report on John David Bryant, struck and killed by a bus while fleeing police custody, determined that arresting officers were not responsible for his death.

An independent Police Complaints Authority handles complaints and can refer cases directly to Parliament. Complaints range from police use of abusive language to allegations of complicity in deaths. During the 12-month period ending June 30, the Authority received 2,792 complaints; only 187 complaints were upheld. There were 11 convictions and 2 acquittals in these cases; police were exonerated in the four cases involving deaths in custody, pursuit, or while police were present. The remaining cases were pending at year's end.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices, and the Government generally respected these prohibitions in practice.

There were some instances of police abuse during the year; four cases involved deaths. The Police Complaints Authority accepted 2,792 complaints against the police in the 12-month period ending June 30 and upheld 137 (see Section 1.a.).

Prison conditions generally met international standards. In 2000 prison overcrowding prompted the Government to begin a major building program; the Auckland Central Remand Prison, with capacity for 360 male inmates, opened in July. Four additional men's facilities, with a total combined capacity of 1,470 beds, are scheduled to open between 2003 and 2006. At year's end, the inmate population was 5,968 and total prison bed capacity approximately 6,000. Male and female inmates normally were housed separately, and no women were held in men's prisons during the year. Since 1999 the Government has been adding prison beds for women, and at year's end had a total capacity of 344 beds for a female inmate population of 236. During the year, the Government began a program to reduce recidivism among female inmates by creating mother-baby feeding facilities, parenting programs, and enhanced family visitation opportunities. Babies under 6 months of age were allowed to live with their mothers in prison, where appropriate. Under the Criminal Justice Act of 1985, the Minister of Corrections also may grant early release to an inmate who has given birth while serving a determinate sentence. Assaults in prisons (mostly inmate on inmate) rose to 120 in the period July 1999-June 2000 (the latest available statistics) from 97 during the previous 12-month period. There were 3 suicides during the 12-month period ending in June, a decline from the previous 12-month period. All new corrections officers received suicide awareness training, including tools to manage at-risk inmates effectively.

Maori make up only 15 percent of the general population but were more than half the prison population. The Government sought to reduce Maori recidivism through special programs to integrate Maori cultural values into the rehabilitation program (see Section 5).

Inmates under age 20 constituted approximately 6 percent of the total prison population. Four special units, providing a peer-based approach to rehabilitation for inmates under the age of 17 and vulnerable 17- to 19-year-olds, opened between 1999 and 2001. Juvenile detainees come under the jurisdiction of Child, Youth, and Family Services (CYFS) rather than the police. At year's end, CYFS had a capacity of 143 beds. Despite increases in capacity, a shortage of beds for youthful offenders continued to be a problem during the year. In June the Sentencing and Parole Act was temporarily amended to permit youths aged 15 and older to be remanded to adult facilities. During the year, juveniles were held in adult remand centers in 2 homicide cases involving a total of 10 youths.

Pretrial detainees were housed separately from convicted prisoners to the extent possible.

The Government permitted visits by independent human rights observers.

d. Arbitrary Arrest, Detention, or Exile

The law prohibits arbitrary arrest and detention, and the Government generally observed these prohibitions.

There is no statutory authority for imposing a sentence of exile, and the Government does not practice forced exile. The Bill of Rights guarantees every citizen the right to enter the country.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, and the Government generally respected this provision in practice.

There is an independent judiciary, with the right of appeal to the Privy Council in London, United Kingdom, although this is rarely invoked. Within the country, the Court of Appeal was the highest appellate court; it heard appeals from the High Court, which has original jurisdiction for major crimes and important civil claims. The High Court also heard appeals from lower courts and reviewed administrative actions. Remaining original jurisdiction rested with 110 judges of the district courts. Special courts included the Employment Court, family courts, youth courts, the Maori Land Court, the Maori Appellate Court, and the Environment Court.

In December the Government introduced a bill to transfer final appeals from the Privy Council to the Supreme Court of New Zealand. Opponents argued that the Supreme Court would be less impartial than the Privy Council, and the bill was still pending in Parliament at year's end.

The law provides for the right to a fair trial and affords defendants the rights found in other common-law jurisdictions. An independent judiciary generally enforced these rights.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions, and the Government generally respected these prohibitions in practice.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and of the press, and the Government generally respected these rights in practice. An independent press, an effective judiciary, and a functioning democratic political system combine to ensure freedom of speech and of the press, including academic freedom.

b. Freedom of Peaceful Assembly and Association

The law provides for freedom of assembly and association, and the Government generally respected these rights in practice.

c. Freedom of Religion

The law provides for freedom of religion, and the Government generally respected this right in practice.

For a more detailed discussion see the 2002 International Religious Freedom Report.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for these rights, and the Government generally respected them in practice.

The law provides for the granting of asylum and refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government cooperated with the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations assisting refugees. The Government provides first asylum. Under its refugee quota, the Government resettles up to 750 UNHCR-approved refugees per year. There were no reports of the forced return of persons to a country where they feared persecution.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The law provides citizens with the right to change their government peacefully, and citizens exercise this right in practice through periodic, free, and fair elections held on the basis of universal suffrage. Parliamentarians are elected under a mixed-member proportional representation system; the last general elections were held in July.

Women are accorded full opportunity to participate in political life. There were 34 women in the 120-seat Parliament. There were 9 women (including the Prime Minister) on the Executive Council, which comprises 26 ministers (20 within the Cabinet and 6 outside the Cabinet). The Cabinet included seven women. The Prime Minister, the former opposition leader, the Attorney General, and the Chief Justice are women; the Governor General, who represents the Queen, is a woman. There were 2 women in the 25-seat Parliament of the dependent territory of the Cook Islands, and 2 women in the 20-seat Parliament of the dependent territory of Niue.

There were 20 Maori, 3 members of Pacific Island origin, and 1 member each of East and South Asian heritage in Parliament. The first Muslim Member of Parliament was elected during the year. The Cabinet included at least 6 members with Maori ancestry.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were cooperative and responsive to their views. The Human Rights Commission, a U.N.-accredited national human rights institution, investigates complaints of human rights violations and unlawful discrimination and acts as a conciliator. The Government also funds the office of a race relations conciliator, which was integrated into the National Human Rights Commission in December 2001.

Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The law prohibits discrimination on the basis of race, sex, religion, disability, and language, and the Government actively enforced it.

Women

Violence against women was a serious and growing problem. Assaults by males against females increased by more than

5 percent from 6,956 for the 12-month period ending in June 2000 to 7,324 for the 12-month period ending in June 2001. More recent statistics were not available. The total number of breaches of the Domestic Violence Act (including all races) increased from 4,429 for the 12-month period ending in June 2001 to 5,659 for the 12-month period ending in June 2002.

According to a 1996 National Survey of Crime Victims (the latest such statistics available), an estimated 20 percent of all Maori, 11 percent of all persons of European ancestry, and 9 percent of all Pacific Islanders reported domestic abuse by a partner. According to the Injury Prevention Research Center, 15 to 35 percent of all women reported having been hit or forced to have sex by their partners at least once in their lifetime. Although Maori women and children constituted less than 10 percent of the population, half the women and children who used the National Council of Independent Women's Refuges were Maori. According to 1998 government statistics, 5,056 men were prosecuted for domestic assault and approximately 1,000 on less serious family violence charges. In this study, Maori men constituted 41 percent of men convicted of assaulting a woman and 43 percent of men convicted of assaulting a child. Disproportionately high rates of domestic abuse also were documented among Pacific Islander families. Convictions for "male assaults female" (all races) increased 30 percent from 2000 to 2001, rising from 2,240 to 2,921 cases. Assaults on a child increased nearly 60 percent in the same period, from 186 to 296 cases. However, convictions for breaching protection orders under the Domestic Violence Act fell 46 percent, from 4,429 to 2,366.

The law penalizes spousal rape. The Government prosecuted and convicted persons on this charge during the year; however, specific statistics were not available. The National Collective of Rape Crisis groups disbanded during the year; however, local groups continued to be active. Rape crisis groups asserted that most sexual assault cases went unreported and that only a small percentage of reported cases resulted in convictions.

The 1995 Domestic Violence Act broadened the definition of violence to include psychological abuse, threats, intimidation, harassment, and allowing children to witness psychological abuse. It expanded intervention measures, such as the use of protection orders; education programs for men, women, and children; stronger police powers to arrest and detain offenders; improved access to legal services for women eligible for legal aid; and tougher penalties for breach of a protection order. As of June 30, 2001, the family court had received 22,369 applications for protection orders under the Act.

In March the Government introduced "Te Rito," a national strategy to combat domestic violence. It included a range of programs to expand initiatives for prevention of family violence, provide victim support, incorporate best practices from family violence centers into the national family violence programs, ensure safety from violence, and ensure that approaches to family violence were culturally relevant and effective for minority populations, such as the implementation of Maori-designed and delivered programs. The Government partially funded women's shelters, rape crisis centers, sexual abuse counseling, family violence networks, and violence prevention services.

Female genital mutilation (FGM) is not traditionally practiced in the country. However, in the mid-1990s, cases of FGM were documented in the Somali, Sudanese, and Ethiopian immigrant communities. A 1996 law made it illegal to perform FGM or to remove a child from the country to carry out the procedure; violations of the law are punishable by up to 7 years in prison. The Government also funded a national FGM education program. During the year, the Government sponsored ongoing public awareness campaigns to address FGM, a child protection network, and a special clinic at the country's largest women's hospital. There were no FGM cases reported during the year.

Prostitution is legal; however, organizing and recruiting women into prostitution is not. The law prohibits sex tourism, and citizens who commit child sex offenses overseas can be prosecuted in New Zealand courts (see Section 5). There were no reports of abuse or the involuntary detention of women involved in prostitution during the year; however, there were several credible reports that women smuggled into the country were forced into prostitution to repay substantial debts to traffickers. There were also reports that some foreign commercial sex workers had their passports withheld by employers until bonds were repaid (see Sections 6.c. and 6.f.).

The law prohibits sexual harassment; however, it was a serious problem. In a survey commissioned by the National Human Rights Commission in 2001, 31 percent of women and 13 percent of men reported experiences of sexual harassment. In September 2001, the commission started a Sexual Harassment Prevention Campaign, including a week focused on the issue.

While the law prohibits discrimination in employment and in rates of pay for equal or similar work, the Government acknowledged that a gender earnings gap persisted in practice. Statistics as of August indicated that women earned 76 percent of men's average total wage and 84.4 percent of men's average ordinary hourly wage.

Children

The law provides specific safeguards for children's rights and protection. The Government demonstrated its commitment to children's rights and welfare through its well-funded systems of public education and medical care. In November 2001, the Government instituted 12 weeks of government-funded, paid parental leave to care for children born after July 2002. Established in 1989, the office of the Commissioner for Children played a key role in monitoring violence and abuse against children.

The law provides for compulsory, free, and universal education through age 16, and the Government effectively enforced the law. The Government provided free health care to all children under age 5.

Child abuse continued to gain significant attention. During the year, there were approximately 2,026 reported cases of physical abuse, 1,262 cases of sexual abuse, and 2,121 cases of severe emotional abuse of children. In 2000 (the most recent statistics available), 2 children under age 15 died in assaults, down from 12 in 1997. In the past, the Government reported that Maori children were four times as likely as non-Maori children to require hospital care for injuries resulting from deliberate harm. In August 2000, the Government instituted an expanded program of information sharing between the courts and health and child protection agencies to identify children at risk of abuse. Notifications to child protection agencies of at-risk children increased by 4 percent on an annualized basis as a result of this program. Applications to family court requested protection for 22,948 children during the year.

A January study published by the Ministry of Justice concluded on the basis of anecdotal evidence that child prostitution was a growing problem throughout the country. In 2001 the Government had published a National Plan of Action against the Commercial Exploitation of Children developed in concert with nongovernmental organizations (NGOs). Assistance programs for victims of debt bondage were implemented through the Human Rights Commission, the Mayor of Auckland, the police, the Immigration Service, and NGOs including ECPAT NZ, the Prostitutes Collective, and Shakti Asian Women's Refuge. Other initiatives included pamphlets about the unacceptability of child prostitution, and peer counseling programs. In August a man was fined \$625 (\$NZ 1,300) and sentenced to community service for possession of child pornography.

In 1995 the Government introduced extraterritorial jurisdiction over child sex offenses committed by the country's citizens abroad. In February an 18-year-old man was convicted under this law for committing indecencies with a 13-year-old child while in a foreign country; he was sentenced to 5 months' imprisonment and a fine. In July a citizen was extradited to India on charges of sexually exploiting children in a Goa orphanage in the mid-1990s.

In the mid-1990s, there were a small number of documented FGM cases, most involving young girls, in Somali, Sudanese, and Ethiopian immigrant communities. However, there were no documented cases of FGM during the year (see Section 5, Women).

Incidents of trafficking in children for sexual purposes have been documented; however, there were no such cases during the year. The Government worked with the NGO ECPAT NZ to combat trafficking in children (see Section 6.f.).

Persons with Disabilities

The law prohibits discrimination against persons with disabilities in employment, education, access to places and facilities, and the provision of goods, services, and accommodation. Compliance with access laws varied. The Government is prohibited from discrimination on the basis of disability, mental or physical, unless such discrimination can be "demonstrably justified in a free, democratic society." The Human Rights Commission reported that during the year, it continued to receive more complaints of discrimination based on disability than for any other type of discrimination. The International Labor Organization (ILO) has criticized the Government for not collecting adequate data regarding the employment of persons with disabilities.

In 2001 the Human Rights Commission funded a public campaign featuring prominent citizens who had suffered from mental disabilities, and continued to address mental health issues in its overall antidiscrimination efforts during the year.

Indigenous People

Approximately 15 percent of the population claim at least one ancestor from the country's indigenous Maori or Moriori minorities. The law prohibits discrimination against the indigenous population; however, the Government's May 2000 Closing the Gaps report noted a continuing pattern of disproportionate numbers of Maori on unemployment and welfare rolls, in prison, among school dropouts, in infant mortality statistics, and among single-parent households. For example, the official Maori unemployment rate (12.3 percent) was more than three times that of non-Maori. Maori officials continued to express concern over the Government's November 2000 announcement of a shift in its Closing the Gaps strategy to address socioeconomic rather than race-based disparities.

Maori inmates constituted more than half the prison population. The Government addressed the problem of recidivism among Maori through Maori focus units and special cultural assessments of Maori offenders. Five Maori focus units, involving approximately 300 inmates, integrated Maori values into the prison rehabilitation program. A special program for Maori sex offenders, Kia Marama, halved the rate of recidivism among participants.

Government policy recognizes a special role for indigenous people and their traditional values and customs, including cultural and environmental issues impacting commercial development. The Ministry of Maori Development, in cooperation with several Maori NGOs, sought to improve the status of indigenous people. A special tribunal continued to hear Maori tribal claims to land and other natural resources stemming from the 1840 Treaty of Waitangi.

National/Racial/Ethnic Minorities

Pacific Islanders, who make up 5 percent of the population, experienced societal discrimination similar to that experienced by Maori. Pacific Islanders also were overrepresented in the prison system, accounting for 10 percent of inmates. In June the

Department of Corrections introduced its first-ever strategy to reduce the crime rate among Pacific Islanders through the use of culturally based techniques. Asians, who make up less than 5 percent of the population, also reported discrimination.

Section 6 Worker Rights

a. The Right of Association

Workers have the right to establish and join organizations of their own choosing. The principal labor organization is the New Zealand Council of Trade Unions, a federation that includes unions representing various trades and locations. In August 2000, the Council of Trade Unions merged with the second-largest labor federation, the New Zealand Trade Union Federation. As a result, nearly all unionized workers are members of the Council of Trade Unions. A few small, independent labor unions also exist.

Labor organization is rudimentary in the territory of Tokelau (population 1,500) and in the Freely Associated State of Niue (population 1,700). In the more developed Associated State of the Cook Islands (population 19,000), most workers in the public sector, the major employer, belonged to the Cook Islands Workers' Association, an independent local union. Industrial relations in the Cook Islands are governed by a simplified version of national legislation.

The law protects unions from governmental interference, suspension, and dissolution.

The law prohibits uniformed members of the armed forces from organizing unions and bargaining collectively. Under the law, "sworn police officers" (which includes all uniformed and plainclothes police but excludes clerical and support staff) are barred from striking or taking any form of industrial action. However, police have freedom of association and the right to organize and to bargain collectively.

The law prohibits antiunion discrimination against members and organizers. In July the courts fined a major company for a September 2001 incident in which union organizers conducting a labor compliance survey at the company facility were arrested for trespassing.

Unions may affiliate internationally. The New Zealand Council of Trade Unions is affiliated with the International Confederation of Free Trade Unions.

b. The Right to Organize and Bargain Collectively

The law provides for the right of workers to organize and contract collectively, and this right was observed in practice.

Unions influenced legislation and government policy. Some unions were affiliated with the Labor Party; others operated independently of political parties; all were free to support parties whose policies they favored. Unions represented approximately 21 percent of all wage earners.

In 2000 the Government significantly changed the law governing industrial relations, repealing the Employment Contracts Act of 1991 and replacing it with the Employment Relations Act (ERA). The ERA promotes collective bargaining, strengthens unions, and requires that parties to an employment agreement bargain in good faith to achieve either a collective or individual employment agreement. The act also promotes mediation and attempts to reduce the need for judicial intervention. Under the ERA, employment relationships are based on contracts. Individual employees and employers may choose to conduct negotiations for employment contracts on their own behalf or may authorize any other person or organization to do so on their behalf. Although choosing a union is entirely voluntary, unions remained the most common agents used by workers to negotiate with employers. Employers must recognize a representative authorized by an employee or employees.

In 2001 the Freedom of Association Committee of the International Labor Organization (ILO) ruled that the ERA promoted collective bargaining. (In 1994, the ILO had ruled that the Employment Contracts Act of 1991 did not, and that it limited freedom of association and the right to strike in a manner inconsistent with ILO conventions.)

The Government does not control mediation and arbitration procedures. The ERA strongly encourages mediation and requires that the majority of employment disputes first proceed through mediation. It also established the Employment Relations Authority as an investigative body to establish the facts of an employment relationship dispute and to make a determination according to the merits of the case. There is also an Employment Court with exclusive jurisdiction over employment matters. Appeals from the Employment Court to the Court of Appeal are possible. Firing an employee for union activities is grounds for a finding of unjustified dismissal and may result in reinstatement and financial compensation. Other than police and armed forces personnel, public services employees, including essential service employees such as prison workers, may organize and strike. Disputes that cannot be settled by negotiation between the Police Association and management are subject to compulsory, final-offer arbitration.

Sympathy strikes, secondary strikes, and strikes over social or political causes are illegal.

Unions often exercised the right to strike. Significant limitations on the right to strike were eliminated when the ERA replaced the

Employment Contracts Act; unions no longer are limited to strikes related to the negotiation of a collective contract and may strike in pursuit of multiemployer contracts across an entire economic sector.

During the 12 months that ended in June, there were 46 work stoppages, involving approximately 24,580 workers and the loss of approximately \$3.8 million (\$NZ7.9 million) in wages and salaries. This represented a 39.4 percent increase in the number of work stoppages compared with the previous reporting period (July 2000-June 2001), involving 350 percent more workers and a 170 percent increase in lost wages and salaries.

There are no export processing zones.

c. Prohibition of Forced or Bonded Labor

The law prohibits forced or bonded labor, including by children. Inspection and legal penalties ensured respect for provisions against forced labor. There were no reports of the involuntary detention of women involved in prostitution; however, there were reports that some foreign commercial sex workers had their passports held by employers until bonds were repaid.

d. Status of Child Labor Practices and Minimum Age for Employment

Department of Labor inspectors effectively enforced a ban on the employment of children under the age of 15 years in manufacturing, mining, and forestry. Children under the age of 16 may not work between the hours of 10 p.m. and 6 a.m. By law children enrolled in school may not be employed, even outside school hours, if such employment would interfere with their education.

e. Acceptable Conditions of Work

A 40-hour workweek is traditional. There are legal limits regarding hours worked; for example, professional drivers must have a 24-hour rest period after an 11-hour day. There is premium pay for overtime work. The law does not provide specifically for a 24-hour rest period weekly; however, management and labor have accepted the practice, and it was the norm. The law provides for a minimum 3-week annual paid vacation and 11 paid public holidays. In 2000 the Government mandated an hourly minimum wage of approximately \$3.70 (\$NZ7.70) and lowered the minimum age of eligibility for this wage to cover workers ages 18 to 20. Combined with other regularly provided entitlements and welfare benefits for low-income earners, this wage was generally adequate to provide a decent standard of living for a worker and family. There is a separate youth minimum wage for younger workers (ages 16 to 17), which was increased in March to approximately \$2.95 (\$NZ6.15). A majority of the work force earned more than the minimum wage.

Extensive laws and regulations govern health and safety issues. Under these rules, employers are obliged to provide a safe and healthy work environment, and employees are responsible for their own safety and health, as well as ensuring that their actions do not harm others. As a result of union criticism, the law was under review by Parliament; however, at year's end there had been no action resulting from the review. Workers have the legal right to strike over health and safety issues. Unions and members of the general public may file safety complaints on behalf of workers. Department of Labor inspectors effectively enforced safety and health rules, and they had the power to shut down equipment if necessary. The Department of Labor standard is to investigate reports of unsafe or unhealthy working conditions within 24 hours of notification. Inspectors could issue notices of deficiencies and bring prosecutorial action to enforce workplace safety. Workers had the right to withdraw from a dangerous work situation without jeopardy to continued employment.

Labor laws were applied to foreign workers and citizens in the same manner.

f. Trafficking in Persons

The country has been a destination for internationally trafficked persons and, to a lesser extent, a transit point for persons being trafficked to the United States and other countries. During the year, the Government passed new legislation to criminalize alien smuggling and trafficking in persons, with penalties of up to 20 years in prison and fines of up to \$240,385 (\$NZ 500,000). Laws against child sexual exploitation and slavery carry penalties of up to 14 years in prison. Trafficking in women and children (particularly from Thailand) to work in the sex industry has been a problem. In 1999 a number of women from Thailand coerced into working in the sex industry were identified, rescued, and repatriated. In 1999 and 2000, domestic NGOs and the Human Rights Commission assisted in the repatriation of six of these women. Also in 1999, seven Thai women were freed from slave labor conditions in an Auckland factory. The Government responded to these incidents with assistance programs for affected individuals, and, in January 2001, imposed a visa requirement for Thai nationals. Since that time, no new cases of internationally trafficked persons have been brought to the attention of the authorities; however, there were reports that undocumented Thai and Chinese were forced to work in the sex industry to repay debts to smugglers.

During the year, there was a credible report of a Niuean woman lured onto a cargo ship bound for Ecuador in 1987; she returned home in 2002 and indicated she had been forced into prostitution in Ecuador because of destitution.

The Government worked with an NGO, ECPAT NZ, to combat trafficking in children. There were no documented incidents of

trafficking in children for sexual purposes during the year.

The Government provided funding for the Human Rights Commission to coordinate antitrafficking activities, for health services for trafficked persons, and for the New Zealand Prostitutes Collective to provide peer counseling and assistance to trafficked persons. The major urban areas have support networks for trafficked individuals, including mechanisms to provide safehouses and repatriation. Antitrafficking campaigns have included literature on how to escape from prostitution, translated into the Thai language and distributed throughout the commercial sex worker areas in Auckland.